

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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|-----------------------------|---|-------------------------|
| Daniel Borteanu, | } | No. CV-20-01797-PHX-SPL |
| | } | |
| Plaintiff, | } | ORDER |
| | } | |
| vs. | } | |
| | } | |
| Nikola Corporation, et al., | } | |
| | } | |
| Defendants. | } | |

Before the Court are Nikola Investor Group’s Motion to Stay Proceedings Pending Disposition of Writ of Mandamus (Doc. 64) and the parties’ Joint Stipulation to Stay Action During Pendency of the Writ of Mandamus. (Doc. 65) The parties stipulated to stay this action while the Ninth Circuit considers a petition for writ of mandamus filed by George Mersho.

It is well established that a court has inherent power to control its docket and may stay proceedings for a number of purposes, including “economy of time and effort.” *Landis v. North Am. Co.*, 299 U.S. 248, 254 (1936). *See also Clinton v. Jones*, 520 U.S. 681, 706–07 (1997).

The Ninth Circuit has set a briefing schedule for the writ of mandamus and issued a notice that the petition is being considered for the June 2021 oral argument calendar. *Mersho, et al. v. USDC-AZP*, Case No. 20-73819 (9th Cir.) (Dkt Entries 8, 9). The Ninth Circuit may vacate this Court’s Order designating Angelo Baio as lead plaintiff, which would directly impact how this litigation will move forward.

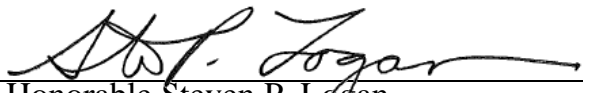
1 Therefore, having considered the Motion and Stipulation,

2 **IT IS ORDERED** that Plaintiff's Motion to Stay Proceedings Pending Disposition
3 of Writ of Mandamus (Doc. 64) is **granted**.

4 **IT IS FURTHER ORDERED** that the Joint Stipulation to Stay Action During
5 Pendency of the Writ of Mandamus (Doc. 65) is **granted as modified**.

6 **IT IS FURTHER ORDERED** that this action is **stayed** in its entirety pending
7 resolution of George Mersho's petition for a writ of mandamus. The Court will issue a
8 Scheduling Order following the Ninth Circuit's disposition of the writ of mandamus.

9 Dated this 1st day of March, 2021.

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11 Honorable Steven P. Logan
12 United States District Judge
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